

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MICHAEL D. CALMESE,

Case No. 3:13-cv-01042-HU

Plaintiff,

ORDER

v.

ANTHONY E. MCNAMER, aka
ANTHONY DAVIS, and THE OREGON
STATE BAR PROFESSIONAL LIABILITY
FUND,

Defendants.

Michael Calmese
3046 N. 32nd Street #321
Phoenix, AZ 85018

Pro Se Plaintiff

Jonathan Mark Radmacher
MCEWEN GISVOLD LLP
1100 S.W. Sixth Avenue, Suite 1600
Portland, OR 97204

Attorney for Anthony E. McNamer

HERNANDEZ, District Judge:

Magistrate Judge Dennis J. Hubel issued a Findings and Recommendation [24] on March 24, 2014, recommending that Plaintiff's voluntary motions to dismiss the Oregon State Bar Professional Liability Fund [11 and 19] and Anthony E. McNamer's motion to dismiss [12] be granted and that this action be dismissed. Plaintiff filed timely objections to the Magistrate Judge's Findings and Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure.

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, as here, the district court must make a de novo determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).


I have carefully considered Plaintiff's objections and conclude that his objections do not provide a basis to modify the Findings and Recommendation. I have also reviewed the pertinent portions of the record de novo and find no error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court ADOPTS the Magistrate Judge's Findings and Recommendation [24]. Accordingly, Plaintiff's voluntary motions to dismiss the Oregon State Bar Professional Liability Fund [11 and 19] and Anthony E. McNamer's motion to dismiss [12] are GRANTED.

IT IS SO ORDERED.

DATED this 6 day of May, 2014.


MARCO A. HERNANDEZ
United States District Judge